

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

# **HOUSE BILL 2094**

## **AN ACT**

AMENDING TITLE 8, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 8-248; RELATING TO JUVENILE BEHAVIORAL HEALTH SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Title 8, chapter 2, article 4, Arizona Revised Statutes, is  
3 amended by adding section 8-248, to read:

4 **8-248. Hearing: service providers: definition**

5 A. ON MOTION OF ANY PARTY ASSERTING THAT A CHILD OR PARENT HAS A  
6 STATUTORY OR CONTRACTUAL RIGHT TO RECEIVE SERVICES FROM AN AGENCY OR PRIVATE  
7 SERVICE PROVIDER, EITHER DIRECTLY OR AS A THIRD PARTY BENEFICIARY, A COURT,  
8 AFTER GIVING NOTICE AND AN OPPORTUNITY TO BE HEARD, MAY ORDER THE AGENCY OR  
9 PRIVATE SERVICE PROVIDER TO APPEAR AT A HEARING TO DISCUSS THE CHILD OR  
10 PARENT'S SERVICE PLAN.

11 B. IF THE CHILD OR PARENT IS ELIGIBLE TO RECEIVE BEHAVIORAL HEALTH  
12 SERVICES WITH TITLE XIX OR XXI OF THE SOCIAL SECURITY ACT MONIES, THE COURT  
13 MAY ORDER THE AGENCY OR PRIVATE SERVICE PROVIDER TO PROVIDE ONLY THOSE  
14 BEHAVIORAL HEALTH SERVICES THAT THE AGENCY OR PRIVATE SERVICE PROVIDER  
15 DETERMINES TO BE MEDICALLY NECESSARY COVERED SERVICES.

16 C. THIS SECTION DOES NOT PROHIBIT THE AGENCY OR PRIVATE SERVICE  
17 PROVIDER THAT HAS RECEIVED NOTICE OF THE HEARING FROM MEETING WITH THE PARENT  
18 OR CHILD'S REPRESENTATIVE BEFORE THE HEARING TO COORDINATE SERVICES.

19 D. FOR THE PURPOSES OF THIS SECTION, "PRIVATE SERVICE PROVIDER" MEANS  
20 ANY INDIVIDUAL OR ENTITY THAT RECEIVES FEDERAL, STATE OR LOCAL GOVERNMENT  
21 FUNDING OR REIMBURSEMENT FOR PROVIDING SERVICES DIRECTLY TO A CHILD WHO IS  
22 ADJUDICATED A WARD OF THE COURT.